



WORKMAN | NYDEGGER

1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Phone: (801) 533-9800
Fax: (801) 328-1707

FAX TRANSMISSION COVER SHEET


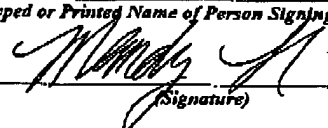
Date: February 2, 2006
To: United States Patent & Trademark Office
Issue Fee
Art Unit 3663
Examiner Mark Hellner
Fax: 571-273-2885
Phone:
From: Mandy Lomeli for Eric L. Maschoff
Re: Application No. 10/020,527
Filed December 14, 2001
Docket No.: 15436.247.35.1

YOU SHOULD RECEIVE 6 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU
DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 801-533-9800

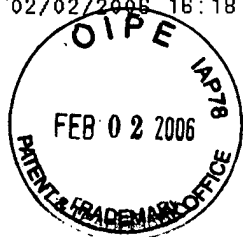
Comments:

PRIVILEGED AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 15436.247.35.1	
Applicant(s): Sol P. DiJaili et al.				
Application No. 10/020,527	Filing Date December 14, 2001	Examiner Mark Hellner	Group Art Unit 3663	
Invention: CROSSBAR USING LASING SEMICONDUCTOR OPTICAL AMPLIFIERS				
				
I hereby certify that this _____ See below* (Identify type of correspondence)				
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-2885</u>)				
on <u>February 2, 2006</u> (Date)				
<div style="text-align: right;">Mandy Lomeli (Typed or Printed Name of Person Signing Certificate)  (Signature)</div>				
<p>Note: Each paper must have its own certificate of mailing.</p> <ul style="list-style-type: none">• Transmittal of Payment of Issue Fee (1 pg.)• PTOL-85 Part B Fee Transmittal (1 pg.)• Comments on Examiner's Statement of Reasons for Allowance (1 pg.)• PTO-2038 Credit Card From in amount of \$1,403.00 (1 pg.)• Certificate of Transmission by Facsimile (1 pg.)				

P18/REV02



PATENT APPLICATION
Docket No: 15436.247.35.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sol P. DiJaili et al.

Serial No: 10/020,527

Filed: December 14, 2001

For: OPTICAL CROSSBAR USING LASING
SEMICONDUCTOR OPTICAL AMPLIFIERS

Examiner: Mark Hellner

)
)
)
)
) Art Unit
) 3663
)
)
)
)
)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE


Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the communications mailed on November 2, 2005. The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims in the above-identified application allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that distinguish the claim from the prior art and make it allowable.

Respectfully submitted,

Dated: February 2, 2006

By: 
ERIC L. MASCHOFF
Attorney for Applicant
Registration No. 36,596
Customer No. 022913

ELM:rrl
WA15436\247.35.1\ML0000002809V001.DOC